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Working paper on the link between the provisions of the NPT regarding nuclear disarmament measures and those regarding the review conferences and the limited duration of the Treaty

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Introduction

1. On 12 June 1968 the General Assembly of the United Nations adopted resolution 2373(XXII) which commended the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

2. The resolution was approved by a vote of 95 to 4 with 21 abstentions. Albania, Cuba, Tanzania and Zambia voted against the resolution. One nuclear-weapon State (France) abstained while the People's Republic of China, which had not yet occupied its seat in the General Assembly, denounced the NPT. Three members of the Eighteen-Nation Disarmament Committee (Brazil, Burma and India) also abstained. The other abstentions were: Algeria, Argentina, Burundi, Central African Republic, Congo (Brazzaville), Gabon, Guinea, Malawi, Mali, Mauritania, Niger, Portugal, Rwanda, Saudi Arabia, Sierra Leone, Spain and Uganda.

3. Among the countries that voted for the resolution, four have yet to adhere to the NPT: Guyana, Israel, Pakistan and South Africa.

4. The NPT was not, as one would say today, a consensus document.

5. A study of the evolution of the provisions of the various drafts of the NPT regarding nuclear disarmament measures, on the one hand, and the review conferences and limited duration, on the other, demonstrates that they are closely linked. The negotiating history of the NPT also reveals that the intense dialogue among States which began in 1961 ended in 1968 with the adoption of resolution 2373(XXII).

6. The NPT entered into force on 5 March 1970. And, although over 140 States have adhered to it, a truly universal and more genuine régime for the non-proliferation --vertical as well as horizontal-- of nuclear weapons has yet to be established.

7. In comformity with paragraph 2 of article X, a conference of the Parties will be held in 1995 to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. That decision will be taken by a majority of the Parties.

8. The three previous Review Conferences have revealed many differences of opinion with regard to the operation of the NPT. These differences should not be glossed over again at the Fourth Review Conference. It is therefore necessary that the Fourth Review Conference consider the question of the preparations for the 1995 extension conference in order to ensure its success. One important additional step would be to

explore ways and means to renew the dialogue with non-Parties, a dialogue that was interrupted in 1968.

The origin of paragraph 2 of article X

9. Following the adoption of United Nations General Assembly resolution 1665(XVI) of 4 December 1961 (the so-called "Irish resolution"), consultations and negotiations were undertaken, both in the General Assembly and in the recently-established Eighteen-Nation Disarmament Committee (ENDC) in Geneva, regarding a treaty on the non-proliferation of nuclear weapons. At that time, those United Nations bodies were also considering the questions of a complete ban of all nuclear-weapon tests, a treaty on general and complete disarmament under strict and effective international control, and a convention on the prohibition of the use of nuclear weapons. Many proposals, including draft treaties, were introduced on these questions. In August of 1963 the Moscow Treaty was concluded, banning nuclear-weapon tests in all environments except underground.

10. On 15 June 1965 the UN Disarmament Commission adopted resolution CD/225 recommending inter alia that the ENDC a) "resume as a matter of urgency its efforts to develop a treaty on general and complete disarmament"; b) "consider as a matter of priority the question of extending the scope of the partial test-ban treaty to cover underground tests"; and c) "also accord special priority to the consideration of the question of a treaty or convention to prevent the proliferation of nuclear weapons giving close attention to the various suggestions that agreement could be facilitated by adopting a programme of certain related measures". The "certain related measures" referred to the proposals put forward in 1964 by the GROUP OF 8 non-aligned delegations --BRAZIL, BURMA, ETHIOPIA, INDIA, MEXICO, NIGERIA, SWEDEN and the UNITED ARAB REPUBLIC-- in the ENDC (ENDC/144 and 145).

11. On 17 August 1965, the UNITED STATES submitted to the ENDC a "Draft Treaty to Prevent the Spread of Nuclear Weapons" (ENDC/162). In introducing the draft, the U.S. Representative noted that it was "the product of close collaboration among the NATO countries represented here" (Canada, Italy and the United Kingdom) and that they had sought "to respond as faithfully and as fully as now seems possible to the recommendation contained in document DC/225 of the United Nations Disarmament Commission, a resolution which enjoyed the support of the overwhelming majority of the Members of the United Nations" (ENDC/PV.224).

12. The proposed treaty would remain in effect indefinitely although, as stated by the U.S. Representative, it included "a provision calling for review of the treaty, after a specified period, with

the agreement of two-thirds of the parties. This was included in part because of the wide concern recently expressed by many participants in the discussion here and in the Disarmament Commission that a treaty such as this should be accompanied by progress to halt and reduce rising nuclear stocks" (ENDC/PV.224). He also called attention to the preambular paragraph that expressed the desire "to achieve effective agreements to halt the nuclear arms race, and to reduce armaments, including particularly nuclear arsenals" (ENDC/PV.224).

13. The question of a periodic review and of the future treaty's duration, on the one hand, and the undertakings of the nuclear-weapon States party to the treaty with regard to nuclear disarmament, on the other, soon became one of the central aspects of the discussions.

The link between the NPT's duration and nuclear disarmament, including a CTB

14. The link between the duration of the future treaty and progress in nuclear disarmament was first made explicit by ITALY in its proposed "Draft of Unilateral Nonacquisition Declaration", submitted to the ENDC on 14 September 1965 (ENDC/156).

15. In a joint memorandum of 15 September 1965, the GROUP OF 8 regretted that it had "not yet been possible to reconcile the various approaches for an appropriate or adequate treaty on non-proliferation of nuclear weapons" and stated their belief "that it would be of advantage if they placed on record their basic approach to the question of non-proliferation. A treaty on non-proliferation of nuclear weapons is not an end in itself but only a means to an end. That end is the achievement of General and Complete Disarmament, and, more particularly, nuclear disarmament. The eight delegations are convinced that measures to prohibit the spread of nuclear weapons should, therefore, be coupled with or followed by tangible steps to halt the nuclear arms race and to limit, reduce and eliminate the stocks of nuclear weapons and the means of their delivery" (ENDC/158).

16. That same day the GROUP OF 8 also submitted a joint memorandum on a Comprehensive Test Ban Treaty. They stated that a CTB "will not only consolidate the Partial Test Ban Treaty but also in itself constitute a measure towards non-proliferation of nuclear weapons" (ENDC/159).

17. On 24 September 1965 the SOVIET UNION submitted to the UN General Assembly a "Draft Treaty on the Non-Proliferation of Nuclear Weapons" (A/5976). The draft treaty proposed that it would be of unlimited duration. There was no provision for a mechanism to

review its operation. In one preambular paragraph it stated: "Desiring the earliest possible attainment of agreement on the complete prohibition and elimination of all types of nuclear weapons within the framework of general and complete disarmament under strict international control".

18. On 19 November 1965, the General Assembly adopted resolution 2028(XX) urging the conclusion of a treaty on the non-proliferation of nuclear weapons, based on the following main principles:

"(a) The treaty should be void of any loop-holes which might permit nuclear or non-nuclear Powers to proliferate, directly or indirectly, nuclear weapons in any form;

"(b) The treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers;

"(c) The treaty should be a step towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament;

"(d) There should be acceptable and workable provisions to ensure the effectiveness of the treaty;

"(e) Nothing in the treaty should adversely affect the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories;"

19. During 1966 there was an extensive debate on the question of the treaty on the non-proliferation of nuclear weapons. In a message to the ENDC on 27 January 1966, President Johnson stated that the UNITED STATES "persists in its belief that the perils of proliferation would be materially reduced by an extension of the limited test ban treaty to cover underground nuclear tests" (ENDC/165).

20. On 17 February 1966 the Representative of CANADA insisted in the ENDC that the question of the nuclear disarmament provisions in the draft treaties should be throughly discussed together with the mechanism for reviewing the future treaty's operation and its duration (ENDC/PV.241).

21. A week later, on 24 February 1966, the Representative of SWEDEN summed up the situation when she stated the another aspect which had to be addressed "refers to the time aspect of the agreement to be reached. We are here, as I understand it, confronted with four different possibilities. To take them in the order of diminishing finality, we have in the first instance the Soviet Union draft treaty expressing the view that the treaty "shall be of unlimited duration". An alternative that would seem to

follow next would be the provision in the United States draft treaty that after a certain number of years a conference might be held "in order to review the operation of the Treaty". Thereafter follows the suggestion tentatively made by the representative of Canada last week, in an endeavour to meet the preoccupations particularly of the non-nuclear signatories to the treaty, that it might only run for "a specified period" of time. Lastly, one may of course envisage a fourth, even less committing, formula in the event that no agreement should prove possible on any of the three first-mentioned ones. I refer to the suggestions made by the Italian delegation in its draft of a unilateral non-acquisition declaration that the pledge of not acquiring nuclear weapons should be undertaken for only a period of a specified number of years.

"All the three last suggestions--that is, those considering the possibility of a treaty short of permanency--are evidently designed to give a respite to the nuclear Powers to produce agreements on those other measures to "limit, reduce and eliminate the stocks of nuclear weapons and the means of their delivery" which the non-aligned countries have requested. But which is really preferable: to have some time-limit built into the treaty, or to have the "tangible steps to halt the nuclear arms race" materialize simultaneously with the treaty on non-proliferation? On this particular point one would rather want to hear the views of other representatives in order to have a clearer perspective before we start an article-by-article consideration" (ENDC/PV.243).

22. In the course of 1967, numerous statements for made regarding the need to include, in the future treaty on the non-proliferation of nuclear weapons, provisions regarding nuclear disarmament.

23. In his address to the Diet, JAPAN's Foreign Minister stated on 14 March 1967: "so long as the purpose of this treaty lies in the elimination of anxiety which would be cast upon mankind by the proliferation of nuclear weapons, it is not enough that the treaty prevent the proliferation of nuclear weapons among the countries which do not possess them, but it should go further to make clear the sincere intention on the part of the countries which possess nuclear weapons to make efforts toward nuclear disarmament, leading ultimately to general disarmament. It is true that disarmament cannot be achieved at once, but concrete measures should be taken with a view to realizing step by step the fervent desire of mankind that nuclear weapons should be abolished. Otherwise the treaty would lose its moral foundation".

24. Weeks before, on 23 February 1967 in the ENDC, the Representative of the UNITED KINGDOM had stated: "This is not to suggest that a non-proliferation treaty can ignore the responsibilities of the nuclear Powers in this

respect. Its drafting must clearly reflect their intention to move rapidly towards agreement on measures to halt and reverse what has been expressively called "vertical proliferation"; and its terms must provide the means of redress for the non-nuclear Powers if the nuclear States are unreasonably slow in translating their intentions into action" (ENDC/PV.288).

25. On 24 February 1967 the Representative of CANADA read out a message to the ENDC from the Canadian Secretary of State for External Affairs which included this paragraph: "It is neither unnatural nor unreasonable that countries forgoing their option to produce nuclear weapons should wish to ensure that their act of self-denial should in turn lead the nuclear weapon Powers to undertake tangible steps to reduce and eliminate their vast stockpiles of nuclear weapons and delivery vehicles. We are therefore of the opinion that nuclear-weapons States signatories to a treaty should be party to a clear and compelling declaration of intent to embark on the process of nuclear arms control" (ENDC/PV.289).

26. In a memorandum dated 7 April 1967, the FEDERAL REPUBLIC OF GERMANY stated: "The world cannot stop at a limited non-proliferation treaty. It needs more comprehensive solution. It is incumbent on the nuclear-weapon powers to stop the further development of increasingly more dangerous weapons, not to increase existing stocks, including the means of their delivery, to begin reducing them, to stop the production of fissionable material for military purposes, and to aim at a comprehensive test ban....The non-nuclear countries are not States with lesser rights, but pioneers of a progressive policy of peace. Their renunciation is made in the hope that it will lead to a balance between contribution and counter-contribution within the entire sphere of nuclear disarmament. The nuclear-weapon powers are called upon to take the next steps. The aim is, and will remain, the liberation of mankind from the fear for its very existence".

27. On 23 May 1967, the Representative of INDIA stated that: "What is particularly fundamental is that a treaty on the non-proliferation of nuclear weapons will be much easier to negotiate and draft if it is taken not as an isolated measure but as one which forms an integral and co-existent pattern with measures of nuclear restraint and disarmament such as the nuclear weapon test ban and a freeze on all nuclear delivery vehicles. We are all unhappy that there has not been more rapid progress in negotiating a non-proliferation treaty which can be acceptable to all concerned, and particularly to non-aligned non-nuclear nations. As many commentators have emphasized, however, that is due in no small measure to the fact that there is no progress in reaching agreement on such related measures as the nuclear weapon test ban and a freeze on nuclear delivery vehicles" (ENDC/PV.298).

28. On 25 May 1967, the Representative of the UNITED KINGDOM stated: "...the principle must be accepted and clearly understood that if a non-proliferation treaty is not followed by serious attempts amongst the nuclear Powers to dismantle some of their own vast nuclear armory, then the treaty will not last, however precise its language may be. There is in my mind no doubt that if the non-nuclear Powers are to be asked to sign a binding non-proliferation treaty it must contain the necessary provisions and machinery to ensure that the nuclear Powers too take their proper share of the balance of obligations" (ENDC/PV.299).

29. That same day, the Representative of CANADA stated: "There is one prediction about this treaty which, in the Canadian view, can be made with assurance; it is that if there is no progress towards real disarmament an agreement on non-proliferation will not endure for more than relatively few years. This, we believe, is the reality of the situation...." (ENDC/PV.299).

30. On 30 May 1967, the Representative of SWEDEN stated: "To conclude: any offer to forgo a nuclear option on the part of the nuclear-weapon States would serve as a reassurance to the have-nots that this first treaty would be effective and viable, and that it would truly initiate the process of nuclear disarmament. There is a deep worry and anxiety prevailing in the world today. Perhaps it already amounts to a lack of confidence in promises about disarmament. So many more signs point in the opposite direction--towards continued escalation everywhere, and not least in the nuclear armaments race. How shall we be able to muster the optimism needed" (ENDC/PV.300).

31. On 3 August 1967, the Representative of CANADA stated: "Another point which we have made in common with other delegations here, and also in the United Nations General Assembly, is that a non-proliferation treaty should be only the first step in a series of measures which would further limit the danger of a nuclear war and in the end lead to the abolition of nuclear weaponry. If the treaty is to be accepted by all countries which are concerned, particularly by those countries which have the capacity to make nuclear weapons for themselves, then it must be seen to be a step in the disarmament process and not merely something which, after being achieved, is left to stand by itself" (ENDC/PV.319).

32. On 8 August 1967, the Representative of ROMANIA stated: "Non-proliferation, unless accompanied by precise, firm and effective measures taken by all States to halt the manufacture of nuclear weapons, ban underground tests for military purposes, and reduce and finally liquidate existing stocks of nuclear weapons, would not only fail to ensure progress along the road to the elimination of the danger of the thermonuclear war but would perpetuate that danger indefinitely. In our opinion non-dissemination, if not accompanied by such measures, would only legalize the division of the world into nuclear

nuclear and non-nuclear States, and would only permit the nuclear Powers to increase their atomic arsenal further and to continue to improve the technology of nuclear weapons" (ENDC/PV.320).

33. On 24 August 1967, the UNITED STATES and the SOVIET UNION submitted identical draft treaties on the Non-proliferation of nuclear weapons (ENDC'192 and 193, respectively). The drafts called for the treaty to be of "unlimited duration" and include the following preambular paragraphs:

"Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race,

"Urging the cooperation of all States in the attainment of this objective,

"Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty of general and complete disarmament under strict and effective international control".

34. The drafts also included this review provision: "Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized" (paragraph 3 of article V).

35. In introducing the draft, the UNITED STATES Representative pointed out that "The draft also contains preambular provisions on arms control and disarmament, including a declaration of intention to achieve a cessation of the nuclear arms race at the earliest possible date. The "declaration of intention" form was, of course, suggested in the eight-nation joint memorandum on non-proliferation of last August. In a similar vein, a later preambular paragraph calls for the cessation of production of nuclear weapons and the elimination of nuclear weapons and delivery vehicles from national arsenals, pursuant to a treaty on general and complete disarmament under strict and effective international control. Those preambular provisions state the purposes of the treaty. Steps towards achievement of these purposes would be reviewed by the review conference to which I have referred. Thus, while no specific obligation to nuclear disarmament would appear, the preambular provisions combined with the review paragraph in article V would provide the most realistic approach to this problem" (ENDC/PV.325).

36. For his part, the SOVIET UNION Representative stated: "Basing itself on its policy in the field of disarmament, the Soviet Union has advocated that in the

draft non-proliferation treaty it should be clearly stipulated that the parties to the treaty will undertake efforts to help bring about the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination of nuclear weapons and their delivery vehicles from the national arsenals of States in accordance with an agreement on general and complete disarmament. Thus, by an international instrument as constituted by the treaty on the non-proliferation of nuclear weapons, it is proposed to indicate the fundamental objective towards which States will and must strive in their efforts to bring about the cessation of the nuclear arms race and the accomplishment of general disarmament. The Soviet Union regards the struggle for disarmament as one of the most important directions of its foreign policy activities and will do everything necessary on its part to ensure progress in solving the disarmament problems that are ripe for solution" (ENDC/PV.325).

37. On 29 August 1967, the Representative of the UNITED KINGDOM referred to the new draft treaty and, among other things, stated: "Finally, I should like to deal very briefly with the relevance of the treaty to the general question of disarmament. We all agree that the non-proliferation treaty is not an end in itself. We all share the intention that it should lead on to other measures to stop the nuclear arms race and to limit and reduce existing stockpiles. I believe the draft before us serves that purpose in three ways. First, a treaty concluded on this basis would contribute to the reduction in tension between the two most powerful nuclear-weapon States and their allies which is an essential prerequisite to any significant measure of arms control and disarmament. Second, the preamble makes it clear that this is not an isolated, final measure but is meant to lead to other agreements. Third, there is in article V the provision for a review conference which after a comparatively short time will give all signatories an opportunity to examine whether the purposes and provisions of the treaty are being realized" (ENDC/PV.326).

38. The Representative of SWEDEN stated on 31 August 1967: "I can assure the Committee, however, that our main preoccupation now and in the coming weeks will be to endeavour to contribute to the achievement of such compromises as may prove necessary in order to make the treaty acceptable to as many as possible of the States which are important in this connexion. I will not hide the fact that one of our preoccupations concerns the desire to see inscribed in the treaty more binding obligations on the main Powers to regard this treaty as only a first step on the road towards nuclear disarmament, soon to be followed by other, notably a treaty banning underground nuclear tests and a cut-off agreement. The non-proliferation treaty has to be seen as a part, and only a part, of an integrated whole of partial disarmament measures in the field of nuclear arms" (ENDC/PV.327).

39. The Represesentative of NIGERIA stated on 31 August 1967: "The non-nuclear-weapon Powers, therefore, have the right to demand that the nuclear-weapon Powers should begin the process of nuclear disarmament. The first action in that direction would be, in our opinion, an agreement on the cessation of nuclear weapon tests underground and the cessation of the production of fissionable material for weapon purposes. The Nigerian delegation thinks that these are fields in which agreement is not only necessary but possible at the present time. It also believes that all the arguments advanced for urging the non-proliferation of nuclear weapons among non-nuclear-weapon States are valid for urging the nuclear-weapon States to conclude an agreement on the two measures I have just mentioned" (ENDC/PV.327).

40. On 19 September 1967, the Representative of MEXICO suggested the addition of several new articles in the draft treaty, including the following:

"Each nuclear-weapon State Party to this Treaty undertakes to pursue negotiations in good faith, with all speed and perseverance, to arrive at further agreements regarding the prohibition of all nuclear weapon tests, the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, the elimination from national arsenals of nuclear weapons and the means of their delivery, as well as to reach agreement on a Treaty on General and Complete Disarmament under strict and effective international control".

41. On 21 September 1967 the UNITED STATES Representative to the United Nations included the following in his address to the General Assembly:

"Let no one imagine that the building or acquisition of a nuclear bomb buys cheap security. True security for all Powers, nuclear and non-nuclear alike, lies in progress in the entire range of arms control and disarmament measures, including control of the strategic arms race, a verifiable comprehensive test-ban, and a cut-off of production of fissionable materials for weapons purposes. The sum of such acts will help to build a more secure world for all and perhaps ensure our very survival" (A/PV.1562).

42. On 26 September 1967 the UNITED KINGDOM Foreign Secretary stated the following in his address to the General Assembly:

"A non-proliferation treaty is, of course, not an end in itself. Apart from its intrinsic value, it will open the way to negotiations on the central problem of controlling and stopping the nuclear arms race. Unless it is followed by progress in that direction, there is a risk that the treaty will not long endure. But equally that progress is dependent on the successful conclusion of the treaty" (A/PV.1567).

43. On 26 September 1967 the Representative of the UNITED ARAB REPUBLIC stated: "Throughout our negotiations the link between a non-proliferation treaty and nuclear disarmament has been referred to and discussed and its importance recognized by us all. But when it comes to giving the nature, scope and form of this link a precise and acceptable definition, differences of opinion begin to appear and suggested formulas multiply.

"The most radical formula would include in the non-prolifertion treaty certain substantial and specific measures of nuclear disarmament. In contrast to this formula the nuclear-weapon Powers were content, in regard to their original drafts, to express the hope that the conclusion of the treaty would facilitate a start of the process of nuclear disarmament and thus excuse us from making any mention of such a link in the treaty.

"However, the non-nuclear-weapon Powers asked for something more solid, more specific than this act of faith pure and simple, so the nuclear-weapon Powers are endeavouring in their new text to meet the preoccupations of the non-nuclear-weapon States and proposing a declaration of intention on nuclear disarmament. To strengthen this declaration of intention they advocate the convening of a conference of the parties to the treaty five years after its entry into force. This new formula rests therefore on a threefold basis:

(1) A mention of nuclear disarmament in the preamble to the treaty;

(2) An offer of hope that certain measures of disarmament will be taken during the next five years;

(3) Inclusion of nuclear disarmament among the points to be discussed by the treaty review conference.

"It is true that in this formulation the hope has a time limit. That already is an advance on the original drafts, which did not contemplate any link between nuclear disarmament and the treaty except a psychological link based on a mental assumption that thing would move in the desired direction. In other words, in the new text we have a certain organic link between nuclear disarmament and the treaty. But is that sufficient? Ought not the declaration of intention to be made firmer becoming a distinct provision in the body of the treaty?" (ENDC/PV.333).

44. On 28 September 1967 the Representative of INDIA stated: "The ideal solution would be to envisage a specific programme of disarmament in the treaty. The Indian delegation recognizes at the same time that the nuclear-weapon Powers are not at present prepared to consider this proposition. In view of that, the Indian delegation would suggest the incorporation of a separate article in the treaty affirming the solemn resolve of the nuclear-weapon Powers to undertake meaningful measures of disarmament,

particularly of nuclear disarmament. Such a provision would also need to be related specifically to the article dealing with the review conference" (ENDC/PV.334).

45. On 3 October 1967 the Representative of SWEDEN referred to the Mexican proposal for a new article and stated: "The reply to that proposal is most crucial. The whole problem is also connected with the system of amendments, review and withdrawal embodied in the draft treaty. As a matter of fact any obligation to proceed with further disarmament measures has only that tenuous link with the treaty. There could, of course, be no outright sanctions prescribed; but there is the provision that, although at quite a distant date, the pledge could be scrutinized at the review conference proposed in article V, paragraph 3, a clause in which it is said that five years after the entry into force of the treaty a conference of the parties shall be held with a view to assuring that the purposes and provisions of treaty are being realized. I emphasize "purposes" and not only "provisions"" (ENDC/PV.335).

46. On 10 October 1967 the Representative of BURMA stated: "If, therefore, a specific provision for a specific nuclear arms-control measure could not be embodied in the treaty, we feel an article should be formulated, in clear-cut and precise terms, under which the nuclear-weapon Powers would assume a definite obligation to take tangible steps towards nuclear disarmament. Those steps should be explicitly defined. One would envisage them to include the concluding of a comprehensive test-ban treaty, which my delegation considers is valid also as a measure of balance, since the non-proliferation treaty will have additionally a comprehensive test-ban effect on the non-nuclear-weapon States; an agreement on the cut-off of all production of fissile materials for weapon purposes and on their diversion to peaceful uses; a halt to production of nuclear weapons themselves; a verified freeze of the production of nuclear delivery vehicles; and progressive reduction and final destruction of all stockpiles of nuclear weapons and carriers.

"Given such undertakings by the nuclear-weapon Powers, the modalities for their implementation may be worked out in separate instruments, with the non-proliferation treaty serving as the basic document from which those measures would flow.

"My delegation believes that, by including such an article, we shall be building into the treaty the essence of the two-way, mutual obligation required by General Assembly resolution 2028 (XX). It will act also as an indirect curb on the option which remains open to the nuclear-weapon Powers to manufacture nuclear weapons. Nevertheless an element of impulsion would still be required to provide a reasonable assurance that the obligations so assumed and undertakings so given, albeit in all good faith, would indeed be translated into reality. The article I have mentioned, like the other basic articles of the treaty,

would of course be subject to review under the provisions of article V, paragraph 3, of the present draft treaty. I have already commended that provision, which represents a positive approach and cannot fail to add dynamism to an otherwise passive treaty and to inspire greater trust and confidence among all its signatories concerning one another's good faith and intentions.

"One feels, however, that the element of impulsion inherent in that provision should be strengthened in two ways. The first way is to make mandatory the holding of periodic review conferences in order to assess the progress achieved in implementing the purposes and provisions of the treaty. Periodic review is both necessary and desirable, since the treaty is intended as an initial step towards nuclear disarmament and also because it is to be of unlimited duration. The second way is to revise the draft article VII so as to make failure to fulfil in good faith the provisions of the article on nuclear disarmament an additional basis for withdrawal" (ENDC/PV.337).

47. On 10 October 1967 the Representative of the UNITED KINGDOM stated:

"I should like next to deal with the link between this treaty and further measures of nuclear disarmament. It has been the consistent view of my Government that this treaty should and would lead to further measures of nuclear disarmament, but that without such progress the treaty would not last....

"When I last spoke to this Committee I reaffirmed our determination to work towards further measures of disarmament. Knowing the frustrating history of disarmament negotiations since the war, I find myself in sympathy with what I think is the intention of the Mexican proposal to strengthen the obligation of the nuclear Powers to pursue these negotiations by strengthening the preambular language and putting it into the operative part of the treaty.

"I should, however, like to offer one or two comments on that proposal. The first is that the most logical measure to embody in the operative part of the treaty would be that relating to the achievement of the cessation of the nuclear arms race, which at present appears in the ninth preambular paragraph. The treaty will, in article II, impose arms limitations on the non-nuclear signatories; and the next logical step seems to me to call for the cessation of the nuclear arms race by the nuclear Powers.

"My second comment is that some of the measures listed in the eleventh preambular paragraph of the draft texts --liquidation of existing stockpiles and the elimination from national arsenals of nuclear weapons and their means of delivery-- can only be dealt with effectively in the framework of a treaty on general and complete disarmament. That treaty is, unfortunately, still far from our grasp, and its achievement has not the same immediate urgency as the cessation of the nuclear arms race. We must stop adding

to the level or armaments before we can move forward in the other direction.

"An alternative way of moving towards that effect might be to retain the existing preambular paragraphs and to amend paragraph 3 of article V of the treaty to read:

> "Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of the Treaty with a view to assuring that the purposes of the preamble and provisions of the Treaty are being realized."

"I put forward that suggestion for consideration and to make clear that I welcome the initiative of the representative of Mexico and share his objective of seeking to secure firmer commitments from the nuclear Powers to follow this treaty with immediate and meaningful negotiations to secure further measures of arms control and disarmament" (ENDC/PV.337).

48. On 10 October 1967 the SECRETARY-GENERAL of the United Nations issued his report, prepared by a group of consultant experts, on the "Effects of the Possible Use of Nuclear Weapons and on the Security and Economic Implications for States of the Acquisition and Further Development of These Weapons" (A/6858). The Report contained this conclusion:

"Since the sense of insecurity on the part of nations is the cause of the arms race, which in turn enhances that very insecurity, and insofar as nuclear armaments are the end of a spectrum which begins with conventional weapons, the problem of reversing the trend of a rapidly worsening world situation calls for a basic reappraisal of all interrelated factors. The solution of the problem of ensuring security cannot be found in an increase in the number of States possessing nuclear weapons or, indeed, in the retention of nuclear weapons by the Powers currently possessing them. An agreement to prevent the spread of nuclear weapons as recommended by the United Nations, freely negotiated and genuinely observed, would therefore be a powerful step in the right direction, as would also an agreement on the reduction of existing nuclear arsenals. Security for all countries of the world must be sought through the elimination of all stockpiles of nuclear weapons and the banning of their use, by way of general and complete disarmament" (paragraph 91).

49. On 12 October 1967 the Representative of the UNITED STATES referred to the amendments proposed by Mexico:

"Finally, the delegation of Mexico has suggested for our consideration a draft article in which nuclear-weapon States parties to the treaty would undertake to pursue negotiations regarding cessation of the nuclear arms race and disarmament. The United States delegation fully

appreciates the great importance which so many delegations have attached to ensuring that the non-proliferation treaty will lead to progress in disarmament. There is no difference between the two co-Chairmen on that point. We are determined that that view will be fully taken into account. It is one that we share ourselves.

"However, as all members of the Committee are aware, the path to agreement on arms-control measures has not been an easy one. We all know that long and arduous negotiations preceded the limited test-ban Treaty. Our negotiations regarding non-proliferation have been lengthy and difficult. Without doubt, negotiations on other measures also, no matter how much good will and perseverance is brought to bear, will be arduous and complex. It is for those reasons that we must be careful regarding the manner of stating any undertakings concerning subsequent disarmament negotiations. Clearly the purpose of the Mexican proposal is to facilitate, not to complicate, subsequent negotiations. With those considerations in mind, the Mexican suggestion and possible alternative formulations to deal with the question are being studied" (ENDC/PV.338).

50. On 17 October 1967 the Representative of the SOVIET UNION also referred to the Mexican proposals:

"In discussing the draft treaty on non-proliferation, many delegations have put forward considerations concerning the link between non-proliferation and other measures of nuclear disarmament. This question was also reflected in the draft article IV-C proposed by Mexico.

"The preamble to the draft treaty before the Committee contains provisions expressing the intention of the parties to the treaty to achieve at the earliest possible date the cessation of the nuclear arms race. But, as is evident from the statements made by many delegations, the link between the problem of non-proliferation and other disarmament measures should, in their opinion, be expressed more directly in the draft treaty, and a separate article devoted to this subject should be inserted into it.

"Moreover, some delegations have expressed the view that the non-proliferation treaty should impose direct obligations on the parties to it to carry out other measures of nuclear disarmament. The position of the Soviet Union in regard to the problem of nuclear disarmament is well known. We have asserted and continue to assert the need for agreement on a wide range of measures relating to nuclear disarmament. The Soviet Union is ready to enter into negotiations immediately on various disarmament measures.

"But is it justifiable, from the point of view of achieving agreement on non-proliferation, to adopt the position of tying up in a single package problems of non-proliferation and other measures in the field of nuclear disarmament? Is it realistic at the present stage to strive, within the

framework of a single treaty on non-proliferation, to solve several problems at the same time? The treaty on which we are working is intended to solve a definite and specific question--prevention of the further spread of nuclear weapons. The simultaneous solution of any other problem would, of course, require time, a considerable length of time, and would at the same time give rise to further questions. If we postpone the solution of the non-proliferation problem until we have reached agreement on other disarmament measures, the right moment may be irretrievably missed. It is better to settle the various measures in the field of disarmament one by one, that is, separately, without tying them up in a single package which would be difficult to untie.

"As is stated in the resolutions of the General Assembly, the non-proliferation treaty should be a first step towards the achievement of other measures in the field of nuclear disarmament. As for the proposals put forward during the discussion for the inclusion in the treaty of a special article on disarmament matters, and the specific text for such an article submitted by the delegation of Mexico, that question has to be given careful study. The Soviet delegation, which attaches great importance to this problem, will consider with due attention all the proposals in this regard and will submit appropriate recommendations to the Committee" (ENDC/PV.339).

51. On 19 October 1967 the Representative of ROMANIA submitted a series of amendments and additions to the draft NPT treaty (ENDC/199) and noted that some of the proposals had the:

"...purpose of placing the treaty in the complex framework of measures designed to lead to the accomplishment of nuclear disarmament. We should like in this connexion to point more particularly to the proposal which defines the duty of the nuclear Powers to undertake specific disarmament measures and is intended to give the non-proliferation treaty substance, vigour and durability....If we wish to draw up a lasting document, and if we are determined not to establish a fragile instrument which might easily become unsteady of collapse, we must at all costs powerfully anchor it in reality. That being so, we could not even tackle, let alone solve, the problem of non-proliferation in isolation from the setting of which it is an integral part: the process of general disarmament, and more particularly, of nuclear disarmament (ENDC/PV.340).

52. On 24 October 1967 the Representative of ITALY recalled his country's proposals to improve the draft treaty and stated:

"Those improvements, which were listed by the Italian Foreign Minister in his statement in the Senate, relate in brief to the following points:

"The balance of obligations and responsibilities between nuclear Powers and non-nuclear Powers;

"Specific undertakings concerning nuclear disarmament by the nuclear Powers, over against the unconditional and absolute renunciation of atomic weapons which the non-nuclear countries are called upon to make;

"The formulation of a text which could not in any circumstances become an obstacle to the development of European unity....

"From the beginning of our negotiations my delegation has always held that the non-proliferation treaty, in order to comply with its aims, should be so conceived and constructed as to eliminate any element which could render it inoperative. For that reason I wish to focus my statement on a part of article VII of the draft treaty which has so far not been considered in depth.

"The first paragraph of that article states that the treaty shall be of unlimited duration. That is a very far-reaching statement, because it is not the lot of man to pledge eternity. Moreover, if we look back across our thousands of years of history, we see very few non-institutional treaties that have simply survived the vicissitudes of one generation, let alone achieved immortality. Therefore we fear that to affirm a princple so remote from reality may introduce into the treaty an element of weakness rather than of strength.

"The advocates of unlimited duration have asserted that too short a duration would not give the non-nuclear countries time to become truly converted to the idea of nuclear disarmament, because the date of expiry of the treaty would be so close. I must confess quite frankly that I am not convinced by that argument. Whereas too short a duration may have those drawbacks, the other extreme solution, that of unlimited duration, seems to me to have equally serious drawbacks, because it would deprive the treaty of the credibility which, on the contrary, should constitute its strength.

"We all know that future generations will have to live, even on a strictly technological level, in a setting very different from the present one. To imprison them in an iron corset, which could not be adjusted to the changing conditions of history, would in our opinion expose that corset to the danger of bursting. We therefore prefer a steel corset which, being more flexible, could more effectively assure the continuation of the treaty. Furthermore, in strict law some countries might, when they came to sign a treaty of unlimited duration, find themselves in constitutional difficulties.

"In order, therefore, to increase the force of this treaty and at the same time to remove potential obstacles to its conclusion, the Italian delegation desires today to submit to the Committee the following amendment intended to replace the first paragraph of article VII:

> "This Treaty shall have a duration of X years and shall be renewed automatically for any party which shall not have given, six months before the date of expiry of the treaty, notice of its intention to cease to be party to the treaty."

"We have preferred for the time being to leave an X in our amendment in place of a figure, in order to give the various delegations an opportunity to express their views on this subject. But we think that in any case this period should not exceed that of most of the non-institutional international treaties. It also seems to us that the proposed amendment could be regarded as an acceptable compromise between the idea of unlimited duration and that of a fixed term. It provides that the treaty shall always remain in force for those who do not denounce it, and at the same time allows those who are not satisfied with its operation to withdraw after a certain number of years" (ENDC/PV.341).

53. On 31 October 1967 BRAZIL submitted a series of amendments to the draft NPT (ENDC/201). Those amendments included the following two:

"A new article, provisionally numbered II-A, shall be included and formulated as follows:

> "Article II-A. Each nuclear weapon State Party to this Treaty undertakes the obligation to negotiate at the earliest possible date a Treaty for the cessation of nuclear arms race and for the eventual reduction and elimination of their nuclear arsenals and the means of delivery of their nuclear weapons."

"Paragraph 3 of article V shall be amended to read as follows:

> "3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty, with a view to assuring that the purposes and provisions of the Treaty are being realized, in particular the provisions of articles I and II-A."

54. On November 1967 SWITZERLAND submitted an Aide-Memoire regarding the draft NPT which included, inter alia, the following:

"Article VII stipulates that the treaty shall be of unlimited duration. To subscribe to such a commitment seems hardly conceivable in a field where development is as rapid and unpredictable as that of nuclear science and its technical, economic, political and military implications. Consequently it would be preferable that the treaty should be concluded for a definite period, at the end of which a review conference would decide about its renewal. During that interval the nuclear-weapon States could adopt specific measures aimed at a limitation of armaments. The

non-nuclear-weapon States certainly cannot take the responsibility of tying their hands indefinitely if the nuclear-weapon States fail to arrive at positive results in that direction.

"The Treaty will establish a lasting juridical discrimination between States according to whether they possess nuclear weapons or not. To consent to this would represent for the non-nuclear-weapon States a heavy sacrifice which is inconceivable unless something is given in return. Since their security is what the arms race chiefly endangers, some progress should be made in limiting this.

"The provisions on that subject in the preamble are not sufficient because they do not constitute a commitment but a mere declaration of intent. They should not only be given a place in the body of the treaty but should also comprise more precise obligations, such as the stabilization of atomic armaments at their present level. Furthermore, the nuclear-weapon States should solemnly and formally undertake never to use or threaten to use nuclear weapons against non-nuclear-weapon States parties to the treaty.

"Such provisions would to some extent meet the security requirements of the non-nuclear-weapon States" (ENDC/204).

55. On 20 November 1967 the SOVIET UNION proposed that the United Nations General Assembly adopt an international convention on the prohibition of the use of nuclear weapons (A/C.1/PV.1531).

56. On 22 November 1967 the UNITED KINGDOM's proposed amendment to Article V of the draft NPT was circulated as an official document (ENDC/203):

> "3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised"

57. On 6 December 1967 Foreign Minister Couve de Murville of FRANCE stated the following to the newspaper France-Soir:

Question: "And the other initiative that the Government took seven years ago in favor of atomic disarmament, has not the moment come to renew it?

Answer: "At that time, he replied, there was talk for the first time of detente, it had even been decided to have a summit conference in Paris. Things turned out differently. One can speak of disarmament only if the atmosphere is favorable.

Question: "And the Moscow Treaty on the cessation of certain nuclear tests? And the draft non-proliferation treaty?

Answer: "Those are not disarmament agreements. Those are agreements among the Big Powers to take care of the others. No, we will be able to speak seriously when the international context lends itself to it. That means that the war in Viet-Nam must end. That is the basic thing. If that war stops, everything will become possible again, and you can be sure that we will be the first--then--to talk about disarmament".

58. On 7 December 1967 Foreign Minister Brandt of the FEDERAL REPUBLIC OF GERMANY addressed the Bundestag and, among other things, stated:

"The Federal Government's attitude toward an NPT was outlined to the High House in April. In a preceding aide memoire of April 7 of this year we had also develop some ideas of our own regarding the association of a possible NPT with further-reaching measures for armament limitation. Like other countries we took up, for example, the idea of a complete test ban".

59. On 12 December 1967 the Representative of SWEDEN stated in the general Assembly of the United Nations:

"We have always considered, and continue to maintain, that a non-proliferation treaty, important as it is in itself, cannot stand alone. It has to be--and I use a familiar phrase--coupled with or followed by other international disarmament agreements covering the nuclear weapon field. It has been generally recognized that two such measures are of great imminent urgency, politically speaking, and particularly ripe for decision technically--namely, a comprehensive test ban and an agreement to cut off production of fissile material for weapon purposes" (A/C.1/PV.1547).

60. On 14 December 1967, at the last meeting of the ENDC's annual session, the Representative of the SOVIET UNION stated:

"Much attention has been given in the Committee to the problem of ensuring that, after the conclusion of a treaty on the non-proliferation of nuclear weapons, measures are taken with a view to the implementation of further steps towards nuclear disarmament. A number of comments were made on this subject, which reflected the general desire of members of the Committee and their firm intention to regard the non-proliferation treaty, not as a separate, isolated measure in the field of partial disarmament measures, but as one stage on the road towards the accomplishment of the task of nuclear as well as of general and complete disarmament.

"This is precisely how the Soviet side believes this problem should be solved and it regards the conclusion of a non-proliferation treaty merely as a step in this direction. We base ourselves on the assumption that the conclusion of a non-proliferation treaty should create more favourable conditions for the attainment of agreement on other urgent measures of disarmament and particularly, of nuclear disarmament. We realize, however, that the inclusion in a non-proliferation treaty of specific commitments in respect of other nuclear disarmament measures would cause very serious difficulties in the solution of the problem to which we are now devoting our attention. Attempts to associate the question of the non-proliferation of nuclear weapons with the solution of other complex problems of nuclear disarmament would hamper the non-proliferation negotiations and impede the attainment of agreement on this matter without facilitating the implementation of other disarmament measures" (ENDC/PV.356).

61. On 14 December 1967, the UNITED STATES Representative stated:

"Apart from our desire to conclude a non-proliferation treaty as soon as possible, we are also anxious to move on to the consideration of other arms control and disarmament measures. The treaty itself will provide new impetus for such measures, but the essential impetus comes from our realization of the urgency of halting the nuclear arms race before it is too late" (ENDC/PV.356).

62. On 14 December 1967 the UNITED KINGDOM Representative stated in the First Committee of the General Assembly:

"I would now like to speak briefly on the urgent need for the suspension of nuclear and thermonuclear tests. We profoundly hope that when the non-proliferation treaty is signed the resulting improvement in the political atmosphere will allow a comprehensive test-ban treaty, and other measures, to be negotiated as soon as possible. We agree with the distinguished and expert representative of Sweden, and other delegations, too, that this is one of the most urgent and important of the disarmament measures which are currently under consideration. My Government continues to support fully all efforts to reach a treaty which, when agreed, we sould sign with the greatest satisfaction. This continues to be a major aim of our policy" (A/C.1/PV.1551).

63. On 14 December 1967 the Representative of the SOVIET UNION stated in the General Assembly:

"Today the Soviet delegation would like to speak on another item that is now under discussion, that is the prohibition of all nuclear weapons tests, including underground tests. The solution of this problem would be a significant obstacle to the further perfection of nuclear weapons and would prevent the appearance of new types of weapons of mass destruction....

"The Soviet Union has always come out in favour of the full prohibition of all nuclear weapon tests, including underground tests. We are ready at any time to agree that the Moscow Treaty of 1963 on the prohibition of nuclear tests in three environments --the atmosphere, outer space and underwater-- be extended to underground nuclear tests, thus making that Treaty comprehensive" (A/C.1/PV.1551)

64. On 19 December 1967 the General Assembly of the United Nations adopted resolutions 2346A and B (XXII) wherein the ENDC was requested to finish its work on a draft NPT before 15 March 1968 and it was accepted to postpone the Conference of Non-Nuclear-Weapon States from March to August 1968.

The link is accepted

65. On 18 January 1968 the UNITED STATES and the SOVIET UNION submitted to the ENDC a revised draft Treaty on the Non-Proliferation of Nuclear Weapons (ENDC/192/Rev.1 and 193/Rev.1). The draft included the following text of article VI:

"Each of the Parties to this Treaty undertakes to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race and disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

Paragraph 3 of article VIII read:

"Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized."

Paragraph 2 of article X stated:

"Twenty-five years after the entry into force of the Treaty, a Conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty."

There was no mention of a comprehensive nuclear test ban.

66. In introducing the revised draft NPT, the Representative of the SOVIET UNION stated:

"The Soviet Union, as an advocate of the speediest implementation of disarmament measures, is in favour of a radical solution of this problem and is prepared to take without delay effective steps in this regard. In view of the discussion which took place in the Committee on this subject, there has been included in the draft treaty a new

article which provides for an undertaking by the parties to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race and disarmament, and on a treaty on general and complete disarmament under strict and effective international control. The provisions of this article, which reflects the wishes of a number of delegationes, will ben an expression of the determination of the States parties to the treaty to do everything to ensure the speediest progress in solving disarmament questions....

"During the discussion of the draft treaty on non-proliferation, views were expressed regarding the desirability of limiting the validity of the treaty to a certain period of time. Taking into account the wishes expressed in this regard, it is proposed that provision should be made for convening a conference of the parties twenty-five years after the entry into force of the treaty to decide whether the treaty is to continue in force indefinitely or whether a certain period of validity is to be laid down" (ENDC/PV.357).

67. The UNITED STATES Representative stated:

"The revised treaty draft does not deal with security assurances--a remaining area of concern which is still being studied--but the co-Chairmen remain mindful of their pledge to provide the Committee with a recommendation for dealing with this complex and difficult problem....

"A new article VI is also contained in the revised treaty text. Pursuant to this article, nuclear-weapon States parties to the treaty undertake to pursue negotiations regarding cessation of the nuclear arms race and disarmament. In framing this significant new article, we have drawn profitably and widely from many suggestions which have been advanced during this Committee's deliberations. Those suggestions have been very closely linked with the principles enunciated in General Assembly resolution 2028 (XX) that the treaty should embody an acceptable balance of obligations and should be a step towards achievement of nuclear disarmament....

"The new draft article constitutes a solemn affirmation of the responsibility of nuclear-weapon States to strive for effective measures regarding cessation of the nuclear arms race and disarmament. Moreover, the article does not make the negotitation of these measures conditional upon their inclusion within the framework of a treaty on general and complete disarmament....

"The last change which the co-Chairmen are recommending today concerns the provisions for the treaty's duration. The new language is found in what is now paragraph 2 or article X. While remaining mindful of the strength of the arguments for a treaty of unlimited duration, the co-Chairmen have carefully considered the comments of those members of the Committee who have expressed concern about a treaty of this type having no limit in time. As a

consequence we have included a provision for a conference to meet twenty-five years after the treaty has entered into force to decide how much longer the treaty should continue. In recommending this change, the co-Chairmen have also recognized the widespread desire that the treaty be assured a life-span adequate to enable it to serve effectively as a stable foundation upon which other vitally-needed measures of nuclear disarmament can be built" (ENDC/PV.357).

68. On 1 February 1968 the Representative of the SOVIET UNION stated:

"It is our profound conviction that the conclusion of the treaty on the non-proliferation of nuclear weapons should be followed by a number of measures in the field of nuclear disarmament and disarmament in general leading to the achievement of the main objective--general and complete disarmament under strict international control, which would put an end to the very existence of nuclear weapons. Accordingly it will be necessary to take measures to put a stop to all manufacture of nuclear weapons, destroy all their existing stockpiles and eliminate nuclear weapons and the means of their delivery from the arsenals of States" (ENDC/PV.361)

69. On 6 February 1968 the Representative of ROMANIA stated:

"The revised text of the draft treaty contains no provisions concerning security guarantees but the same gap on this subject as in the first text (ENDC/192, 193)....We should like to know whether the nuclear Powers are prepared to assume a solemn obligation, through the treaty on non-proliferation, never in any circumstances to use nuclear weapons against States not possessing them, nor to threaten these States in any case or in any manner with their use.

"Secondly, do the nuclear Powers agree that it is essential to place the treaty on non-proliferation in a set of measures designed to lead to cessation of the production of nuclear weapons, prohibition of underground tests for military purposes, and the reduction and eventually, the elimination of existing stocks of nuclear weapons and the means of their delivery? If so, how can one justify the absence from the draft treaty of a firm legal obligation binding the nuclear Powers to undertake specific measures of disarmament and particularly nuclear disarmament? We should also like to know why no provision has been made in the draft for the convening of periodic conferences to consider how the obligations assumed by all parties to the treaty have been fulfilled" (ENDC/PV.362).

70. On 8 February 1968 SPAIN submitted a memorandum to the ENDC in which it stated:

"In regard to the measures proposed in paragraph 2 of article X of the draft, the Spanish Government considers too long the period of 25 years which is specified before a conference would decide whether the treaty is thereafter to

continue in force indefinitely or to be extended for a limited period. Likewise, the twenty years between the conference mentioned in paragraph 3 of article VIII and that mentioned in article X is too long a time for the treaty to be adaptable solely through the procedure laid down for introducing amendments, to any fresh circumstances that may arise in the international situation. Thus it seems advisable that conferences like that provided for in article VIII should be held every five years, and that the one mentioned in article X should be held twenty years after the treaty comes into force....

"The Spanish Government attaches the greatest importance to the content of article VI of the draft. It is indeed essential that non-proliferation shall never be regarded as an end in itself. Actually it is only a stage--one of vital importance to mankind, certainly, but only a stage in the consummation we all seek to achieve: general and complete disarmament under effective international control. Hence this Government considers that the obligations set out in article VI should be strengthened to the maximum by specially including in them the destruction of nuclear weapons and their vehicles, since disarmament will not have any effective reality except under a general scheme which covers nuclear armament. Though the undertaking to pursue negotiations is of the greatest importance, it seems advisable to specify more concretely the obligations which signatories of the Treaty undertake through this clause" (ENDC/219).

71. On 8 February 1968 SWEDEN submitted the following suggestions regarding the draft NPT:

"Preamble: after the tenth paragraph insert a new paragraph worded as follows:

"Recalling the determination expressed by the Parties to the Partial Test Ban Treaty of 1963 in its preamble to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,"

"Article VI: insert in the second line after the words "nuclear arms race" the following words: "at an early date", and insert in the third line before the word "disarmament" the word "nuclear".
"The article would then read as follows:

"Each of the parties to this Treaty undertakes to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race at an early date, and nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

"Article VIII: add to the present wording of paragraph 3 the following sentence:

"At the interval of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty." (ENDC/215).

72. On 8 February 1968 the Representative of BRAZIL stated:

"Article VI sets forth three objectives for the negotiations which must be pursued by all parties to the treaty: first, the cessation of the nuclear arms race; second, disarmament; and third, a treaty on general and complete disarmament under strict and effective international control. There is no specific commitment on the part of the nuclear-weapon Powers to speedily negotiate measures for nuclear disarmament, unless we consider that these measures are to be part of a treaty on general and complete disarmament. Thus there is no priority assigned to the negotiation of measures for nuclear disarmament, as compared with measures for conventional-weapon disarmament. Nevertheless, there is no doubt that the real danger to the survival of mankind in organized society lies primarily in the existing and still mushrooming arsenals of nuclear weapons and the means of delivery of such weapons.

"In that connexion, I wonder whether the wording of paragraph 2 of article X, relating to a minimum initial period of twenty-five years for the duration of the treaty, abandons the hope of achieving in goal of "general and complete disarmament under effective international control" set forth in resolution 1722 (XVI). How can a committee with a mandate to negotiate a treaty on general and complete disarmament endorse a provision based on the assumption --or at least admission-- that nuclear-weapon arsenals may increase and proliferate for a minimum initial period of twenty-five years and that vertical proliferation may go on unchecked? Is that not a confession of failure on the part of the Eighteen-Nation Disarmament Committee? Is it not a premature and uncalled-for admission of the possibility that in 1993 the Eighteen-Nation Disarmament Committee, or another body in Geneva or in another city, will still be groping for an agreement on this vital issue of nuclear disarmament? What is more serious and important, has the Eighteen-Nation Disarmament Committee the right to lose hope or to confess that it has lost hope?" (ENDC/PV.363).

73. On 13 February 1968 BRAZIL submitted a number of amendments to the draft NPT, including this one:

"Article VI shall be amended to read as follows:

Article VI

1. Each of the Parties to this Treaty undertakes to pursue negotiations in good faith on effective measures regarding a treaty on general and complete disarmament under strict and effective international control.

2. Each nuclear-weapon State Party to this Treaty undertakes the obligation to negotiate at the earliest possible date a Treaty for the cessation of nuclear arms race and for the eventual reduction and elimination of the nuclear arsenals and the means of delivery of the nuclear weapons.
3. Each nuclear-weapon State party to this Treaty undertakes the obligation to channel, through a special United Nations fund for the benefit of the economic development of developing countries, in particular for their scientific and technological progress, a substantial part of the resources freed by the measures of nuclear disarmament." (ENDC/201/Rev.2).

74. On 13 February 1968 the Representative of SWEDEN referred to the future work of the ENDC:

"From all points of view a test ban would be indicated as the issue most immediately to be considered according to the commitments made in draft article VI of the present treaty text.

"That brings me to my final point: namely our concern for the time-table and agenda of our continued work in the Eighteen-Nation Committee on Disarmament. I take it for granted that we should complete the deliberations on the draft treaty at present before us on the deadline set by the United Nations General Assembly, that is, 15 March. Allowing some weeks for the study of our report by other delegations, the Assembly might be expected to reconvene, say, after Easter. Before we leave Geneva in March we should also agree on at least some fixed points on our agenda, with the understanding that we have to deal in due turn with all the issues mandated to the Eighteen-Nation Committee on Disarmament by the United Nations, and perhaps with some others emanating from our own circle of delegations.

"Without doubt the test ban is the next one on the United Nations priority list....During the summer we would be justified in expecting very considerable strides forward, perhaps even celebrating a new agreement.

"There are a few more arguments, derived from the foreseeable time schedule in regard to the processing of the non-proliferation agreement, which speak in favour of a certain optimism. My colleagues will recall that the Swedish delegation originally asked for simultaneous results, or at least simultaneous negotiations, in the three fields of non-proliferation, a comprehensive test ban, and a cut-off. We ought as a minimum to be able to judge the prospects for the other two agreements when asked to conclude the first one" (ENDC/PV.364).

75. On 20 February ITALY submitted a number of amendments to the draft NPT, including these two:

"Article VIII: amend paragraph 3 to read as follows:

3. Every five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized.

"Article X: amend paragraph 2 to read as follows:

2. The Treaty shall have a duration of 25 years. It shall be renewed automatically for periods equal to its initial duration for all governments which shall not have given, six months before the successive dates of its expiry, notice of their intention to withdraw" (ENDC/218).

76. On 22 February 1968 the UNITED KINGDOM Representative proposed the following wording for article VI and paragraph 3 of article VIII, respectively:

"Each of the Parties to this Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control".

"At intervals of five years thereafter, if then requested to do so by a majority of the Parties to the Treaty, the Depositary Governments shall convene a further such conference at the same place and for the same purposes" (ENDC/PV.369).

77. On 28 February 1968 the Representative of NIGERIA referred to the text of paragraph 3 of article VIII:

"...neither the United Kingdom amendment nor any provision of the revised treaty texts says anything about how the review conference shall decide whether or not it believe the purposes of the preamble and the provisions of the treaty are being realized. Yet, for the review conferences to serve any purpose, they must have the facility to express the collective view of the majority of the signatories on the application of the treaty. The evidence that a provision is necessary for that is the fact that it exists in the revised drafts with regard to a review conference after twenty-five years, in the last sentence of article X.

"Therefore the Nigerian delegation proposes that the following sentence be inserted after the United Kingdom and Swedish amendments to article VIII: "The findings of the review conferences shall be adopted by a majority of signatory States present." My delegation makes that proposal because it believes that the views of the majority of signatory States should be available to those Powers which alone can make the principal aim of the treaty

--nuclear disarmament-- realizable" (ENDC/PV.371 and ENDC/220).

78. In its memorandum of 6 March 1968 on the draft NPT, the FEDERAL REPUBLIC OF GERMANY referred to the desired "linkage with disarmament":

"This desire is partly taken into account by the language of the preamble and of article VI of the draft. Unfortunately, the nuclear arms race is being continued and increased irrespective of the current negotiations on the nuclear non-proliferation treaty. Therefore, it should be made clear to the world that this treaty is not meant to create two classes but to promote equality within the family of nations. It would be desirable that --in line with the demands of important non-nuclear-weapon states-- the obligation to conduct disarmament negotiations contained in article VI should be expressed in more concrete terms, and that in the declaration of intent of the preamble, partial measures of nuclear disarmament should be listed separately from the ultimate aim of general, complete and controlled disarmament.

"This would show the way to a realistic approach to the progressive reduction of the continuous threat presented to mankind by nuclear weapons".

79. On 8 March 1968 ROMANIA proposed several amendments to the draft NPT, including these:

"Replace the present text of article VI by the following:

"1. Nuclear-eapon States Party to the Treaty undertake to adopt specific measures to bring about as soon as possible the cessation of the manufacture of nuclear weapons and the reduction and destruction of nuclear weapons and the means of their delivery.

"2. If, five years after the entry into force of this Treaty, such measures shall not have been taken, the Parties shall examine the situation thus created and decide on the measures to be taken".

"After paragraph 3 of article VIII, add:

"Such conferences shall be convened thereafter periodically every five years, to review the manner in which the obligations assumed by all Parties to this Treaty are carried out" (ENDC/223/Rev.1).

A reference to a CTB is included

80. On 11 March 1968 the SOVIET UNION and the UNITED STATES submitted a joint draft NPT to the ENDC (A/7072 and ENDC/230, Annex I). The text included, for the first time, a preambular paragraph on a CTB.

Article VI was drafted as follows:

"Each of the parties to this Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control."

Paragraph 3 of article VIII read:

"3. Five years after the entry into force of this treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty."

Paragraph 2 of article X was the same as in the draft of 18 January 1968.

81. On 11 March 1968 the UNITED STATES Representative stated:

"In our view, the provision for periodic review serves several worth-while purposes. As many representatives have pointed out, a review conference provides an opportunity for non-nuclear-weapon parties to join with nuclear-weapon Powers in assessing the progress being realized towards one of the treaty's central purposes: that is, contributing to the halting of the nuclear arms race and to effective measures of nuclear disarmament. That is why the new article VIII also includes the amendment of the United Kingdom to add the words "of the Preamble" in describing purposes which may be considered at review conferences. That amendment was also suggested by several others and has widespread support. We have included it because it is entirely proper for parties to consider and discuss the purposes of the treaty as stated in the preamble when they are gathered together to see how the treaty is working" (ENDC/PV.376).

82. On 13 March 1968 the UNITED STATES Representative stated:

"The changes regarding periodic review of the treaty included in the revised draft have a bearing on other parts of the treaty to which other suggestions were addressed. In particular, they have a bearing on the provisions in article X for duration. No changes have been made in these provisions, in part because we believe that the present provisions already reflect a realistic compromise between divergent viewpoints. A number of countries have expressed a preference for indefinite duration, but have indicated their willingness to accept the provision for a twenty-five-year initial duration period in order to make the

treaty more widely acceptable....In this connexion we do not see any need to specify, as suggested by the representative of Nigeria, that findings of review conferences should be adopted by a majority of signatories. There should be no difficulty for a majority of signatories, or for that matter any group of parties, making known at a review conference any collective views they may have" (ENDC/Pv.378).

83. On 14 March 1968 NIGERIA again suggested the inclusion of the following sentence in paragraph 3 of article VIII:

"The findings of the Review Conferences shall be adopted by a majority of Parties to the Treaty who are present" (ENDC/220/Rev.1).

84. On 14 March 1968 the Co-Chairmen transmitted the ENDC's report on the draft NPT to the General Assembly (A/7072 and DC/230).

85. On 26 April 1968 the UNITED STATES Representative stated the following at the reconvened XXII General Assembly:

"Let me point out that further force is imparted to article VI by the provision in article VIII for periodic review to the treaty at intervals of five years, to determine whether the purposes of the preamble and the provisions of the treaty are being realized. My country believes that the permanent viability of this treaty will depend in large measure on our success in the further negotiations contemplated in article VI.

"The commitment of article VI should go far to dispel any lingering fear that when the non-proliferation treaty is concluded the nuclear-weapon parties to it will relax their efforts in the arms control field. On the contrary, the treaty itself requires them to intensify these efforts. The conclusion of it will do more than any other step now in prospect to brighten the atmosphere surrounding all our arms control and disarmament negotiations. Conversely, its failure would seriously discourage and complicate those negotiations --especially if the number of nuclear-weapon Powers should increase still further.

"Following the conclusion of this treaty, my government will, in the spirit of article VI and also of the relevant declarations in the preamble, pursue further disarmament negotiations with redoubled seal and hope and with promptness; and we anticipate that the same attitude will be shown by others" (A/C.1/PV.1556).

86. On 3 May 1968 the Representative of BRAZIL stated:

"Despite the undeniable progress that has been secured, Brazil regrets that the formal necessity of the presentation of the report prior to 15 March 1968, as

requested in resolution 2346 A of 19 December 1967, did not permit a detailed consideration of all the important proposals, amendments and suggestions advanced by the majority of the countries sitting in the Committee at Geneva.

"The draft contained in Annex A was submitted to the Disarmament Committee by the delegations of the United States of America and the Soviet Union on 11 March, three days prior to the closing of the Committee session. The Committee as a whole was thus unable to pass judgement of any kind on the draft. Although it has incorporated four of the twenty-seven amendments submitted to the Disarmament Committee, the text of Annex A basically represents a bilateral understanding between the two super Powers as to the maximum of reciprocal concessions which could be made in order to meet some of the claims and suggestions of the non-nuclear nations.

"The task now falling upon the Assembly of the United Nations is one of enlarging this maximum area of agreement to such a point that it will no longer fall short of the minimum requirements of resolution 2028 (XX), adopted by a unanimous vote of the Members of the United Nations....

"In the course of the Disarmament Committee meetings in Geneva, the delegation of Brazil endeavoured to make it clear that the Soviet-American draft does not satisfactorily observe the principles enunciated in resolution 2028 (XX). By way of example, the proposed draft does not establish an acceptable balance in the mutual obligations of the five nuclear Powers and of the non-nuclear nations, and it fails to include any real and tangible commitment on the part of the five nuclear Powers to proceed with either total or partial nuclear disarmament....

"We shall now have occasion to hear the comments and suggestions of over a hundred countries which have not as yet voiced their opinions on the merits and shortcomings of the draft. If its co-authors intend the treaty to be in force for a period of twenty-five years, we should not start out upon such a long road in too short a time. In this connexion, we believe that the forthcoming Conference of Non-Nuclear Weapon States which the General Assembly has scheduled to be held within four months will provide a natural forum for clarifying the positions of the non-nuclear countries with regard to the commitments they are called upon to undertake. The important thing is not to close the doors to negotiation prematurely" (A/C.1/PV.1560).

87. On 6 May 1968 the Representative of ETHIOPIA stated:

"In the view of my Government, the viability of a non-proliferation agreement lies in what will happen in the future, perhaps in the immediate future: it depends first on the speed with which the nuclear-weapon Powers will

follow this agreement with real measures of nuclear disarmament" (A/C.1/PV.1561).

88. On 10 May 1968 the Representative of JAPAN stated:

"I should like next to dwell upon...the overriding importance of nuclear disarmament....Unless the nuclear-weapon States keep their part of the bargain, the balance of obligations will be upset and the treaty will lose its moral basis.

"There are certain specific points in this regard which require attention.

"I wish to emphasize, first, how strongly the Japanese people feel, having suffered the effects of atomic explosions, with regard to the earliest possible conclusion of an agreement banning the underground testing of nuclear weapons" (A/C.1/PV.1565).

89. On 16 May 1968 the Representative of MEXICO stated:

"My third and final comment is that however fortunate the conclusion of the treaty may be, its success will finally depend on the nuclear-weapon States proving by their conduct in the immediate future that they truly do consider this draft treaty as a "first step" to the adoption of concrete disarmament measures, beginning with nuclear disarmament...."(A/C.1/PV.1569).

90. On 20 May 1968 the Representative of SOUTH AFRICA stated:

"...we are not persuaded that the draft treaty fully meets all the requirements laid down by the General Assembly, nor indeed does it take into account the legitimate interests of those non-nuclear-weapon countries which have a major economic interest in the development of their own nuclear technology and nuclear resources" (A/C.1/PV.1571).

91. On 23 May 1968 the Representative of CANADA stated:

"The Canadian delegation has noted a feeling in certain other delegations that if a resolution is adopted by the General Assembly approving the draft treaty and recommending that it be opened for signature, this will detract from the value of the Conference of Non-Nuclear-Weapon States which is to be held in Geneva in September. Canada, which expects to participate in that Conference, does not believe that this is so. On the contrary, we think that once the non-proliferation treaty has been endorsed by the United Nations General Assembly, the Conference of Non-Nuclear-Weapon States will have a very valuable role to play in considering matters which arise out of the treaty....In particular, the question of the further measures of nuclear disarmament which the nuclear Powers

should take, in pursuance of the pledge they would make under article VI of the draft treaty, should be thoroughly discussed" (A/C.1/PV.1573).

92. On 31 May 1968 the General Assembly concluded the general debate on the draft NPT. On that day the SOVIET UNION and the UNITED STATES submitted a revised draft NPT. The draft incorporated some of the suggestions made during the debate. The UNITED STATES Representative described the changes:

"The revisions correspond to three major purposes which various delegations have emphasized in putting forward their suggestions in this general debate:

"First, to strengthen the provisions for sharing in the benefits of the peaceful uses of nuclear energy;

" Second, to strengthen the provisions of the treaty calling for further and prompt measures to halt the nuclear arms race and to limit existing nuclear arsenals; and

"Third, to enhance the security of the signatories by reaffirming the principles of the United nations Charter regarding the use of force and threats of force in international relations....

"I come now to the second major category of changes, those relating to further measures of disarmament.

"During this debate most delegations have clearly recognized that it would be inadvisable to try to include in this treaty any specific list of further disarmament measures, lest, by attempting too much in a single treaty, we should end by achieving nothing. There was widespread sentiment, however, that everything possible should be done to ensure that the treaty will be followed as soon as possible by additional measures to halt the nuclear arms race and to reduce existing nuclear arsenals--a view with which the United States emphatically agrees.

"To give further expression to this widespread desire, an important addition has been made to the ninth preambular paragraph of the treaty. As revised, this paragraph now declares the intention of the parties "to achieve at the earliest possible date the cessation of the nuclear arms race and" --this is the new, additional language-- "to undertake effective measures in the direction of nuclear disarmament". This change was made pursuant to a suggestion by the delegation of Yugoslavia....

93. The UNITED STATES Representative also called attention to the revised text of the final preambular paragraph:

"...in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any

other manner inconsistent with the purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources" (A/C.1/PV.1577).

The UN General Assembly commends the NPT

94. On 12 June 1968, the day the NPT was endorsed by the General Assembly, President Johnson of the UNITED STATES stated: "Finally, in keeping with our obligations under the treaty, we shall, as a major nuclear-weapon Power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals" (A/PV.1672).

Security Assurances

95. On 19 June 1968 the Security Council approved resolution 255(1968) on "Security Assurances to Non-Nuclear Nations" by 10 votes to none with 5 abstentions (Algeria, Brazil, France, India and Pakistan).

A CTB is the priority

96. On 16 July 1968 the ENDC reconvened. At that meeting the Representative of the UNITED KINGDOM stated:

"I turn now to my own proposals. In the nuclear field my own priority is a ban on underground tests, and we have given particular thought ourselves to the problems of a comprehensive test ban treaty. Obviously the banning of underground nuclear tests is closely related to any agreement on the limitation of offensive and defensive nuclear weapons and an associated cut-off of production of fissile material for nuclear weapons, but it seems to us to be a measure of cardinal importance because we think that the real danger of vertical proliferation lies in the development of more sophisticated weapons systems. Purely quantitative control will achieve nothing if the nuclear weapons that are permitted become more and more costly and more and more deadly. The merit of a comprehensive test ban treaty is just this, that it would prevent the development of more sophisticated weapons systems" (ENDC/PV.381).

97. On 30 July 1968 the Representative of SWEDEN stated:

"In view of the pressing need that the Eighteen-Nation Committee come to grips with further measures of disarmament, I have not hesitated today to touch upon a rather long list of the substantive issues we have to deal with as regards making the test ban comprehensive. The reasons for our persistent urging that this should be the next disarmament measure to be elaborated in the Committee are so compelling --indeed more compelling today than at any previous time. I should like to try to divide these reasons into three main categories.

"One is the reason devolving from the transactional situation in our negotiations: the test-ban issue must be clarified as a link between the recently-concluded non-proliferation treaty and the agreement on an international régime for peaceful nuclear explosions, on which a decision should be taken soon. Through his intervention at our last meeting the representative ot he United States, Mr. Foster, raised our hope for progress on this latter issue.

"A second reason of an imperative character is that the completion of the ban on nuclear testing would be a very important disarmament measure--and we are looking eagerly for the emergence of the first such measure, which we have been promised in article VI of the non-proliferation treaty. The cessation of the further development and refinement of nuclear weapons--that is, qualitative nuclear disarmament--now seems the most timely of the possible nuclear disarmament measures. Since "overkill" capacity has been reached by the main nuclear-weapon Powers, it is the race concerned with changing the quality of the weapon systems which is threatening to upset the precarious balance in which the world is living" (ENDC/PV.385).

98. On 23 August 1968 ITALY submitted a working paper on underground nuclear explosions which began as follows:

"1. The Italian Government has long advocated the possibility of extending the 1963 Treaty on the partial prohibition of nuclear tests to underground nuclear explosions.

"The recent conclusion of negotiations on the non-proliferation of nuclear weapons, and the undertakings stipulated in Article VI, as well as in the preamble, make it possible to hope that definite progress will be made very quickly in this field, which is so important for world peace and security" (ENDC/234).

In its Final Document of 1 October 1968, the Conference of Non-Nuclear Weapon States called for the conclusion of a CTB "as a matter of high priority" and requested that negotiations begin not later than March 1969 for a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles; b) a CTB; c) cessation of fissile materials for weapons purposes; and d) the reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems" (Resolution C, A/CONF.35/10).

99. On 5 December 1968 the UNITED STATES Representative stated in the General Assembly:

"Foremost among the arms control issues which have seized our attention for more than two decades is the problem of nuclear disarmament. The Eighteen-Nation Committee on Disarmament recognized the pre-eminence of this area of concern in the programme of work which was adopted at its last session. From the discussion in this Committee it is

also clear that, within the broad and complex field, the question of further limitations on nuclear weapon testing stands as a priority item" (A/C.1/PV.1630).

Annex

Evolution of the provisions regarding nuclear disarmament measures, review conferences and the duration of the treaty in successive drafts of the NPT, 1965-1968

I. Article VI and preambular paragraphs

UNITED STATES draft of 17 August 1965:

1. No article dealing with nuclear disarmament.

2. No mention of a comprehensive nuclear test ban treaty.

3. Preambular paragraphs:

"Desiring to achieve effective agreements to halt the nuclear arms race, and to reduce armaments, including particularly nuclear arsenals,

"Reaffirming their determination to achieve agreement on general and complete disarmament under effective international control,"

SOVIET UNION draft of 24 September 1965:

1. No article dealing with nuclear disarmament.

2. No mention of a CTB.

3. Preambular paragraphs:

"Desiring the earliest possible attainment of agreements on the complete prohibition and elimination of all types of nuclear weapons within the framework of general and complete disarmament under strict international control,

"Desiring to further the easing of international tension and the strengthening of trust between States, thus facilitating the conclusion of a treaty on general and complete disarmament,"

USSR/USA draft of 24 August 1967:

1. No article dealing with nuclear disarmament.

2. No mention of a CTB.

3. Preambular paragraphs:

"Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race,

"Urging the cooperation of all States in the attainment of this objective,

"Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,"

USSR/USA revised draft of 18 January 1968:

1. Article VI:

"Each of the Parties to this Treaty undertakes to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race and disarmament, and on a treaty on general and complete disarmament under strict and effective international control".

2. No mention of a CTB.

3. Preambular paragraphs:

"Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race,

"Urging the co-operation of all States in the attainment of this objective,

"Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,"

Joint USSR/USA draft of 11 March 1968:

1. Article VI:

"Each of the Parties to this Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control".

2. Preambular paragraph on CTB:

"Recalling the determination expressed by the Parties to the Partial Test Ban Treaty of 1963 in its preambule to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,"

3. Preambular paragraphs:

"Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race,

"Urging the co-operation of all States in the attainment of this objective,

"Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,"

NPT (same as revised draft of 31 May 1968)

1. Article VI:

"Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

2. Preambular paragraph on CTB:

"Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere in outer space and under water in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end"

3. Preambular paragraphs:

"Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

"Urging the cooperation of all States in the attainment of this objective,

"Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing

nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control,"

II. Paragraph 3, article VIII

UNITED STATES draft of 17 August 1965:

"2. _____years after the entry into force of this Treaty, a conference of the parties may be held at a date and place to be fixed by agreement of two-thirds of the parties in order to review the operation of the Treaty."

SOVIET UNION draft of 24 September 1965:

No provision for a review conference.

USSR/USA draft of 24 August 1967:

"3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized."

USSR/USA revised fraft of 18 January 1968:

"3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized."

Joint USSR/USA draft of 11 March 1968:

"3. Five years after the entry into force of this treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty".

NPT (same as revised draft of 31 May 1968)

"3. Five years after the entry into force of this treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty

a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty".

III. Paragraph 2, article X

UNITED STATES draft of 17 August 1965:

"This Treaty shall remain in force indefinitely...".

SOVIET UNION draft of 24 September 1965:

"This Treaty shall be of unlimited duration".

USSR/USA draft of 24 August 1967:

"This Treaty shall be of unlimited duration".

USSR/USA revised draft of 18 January 1968:

"2. Twenty-five years after the entry into force of the Treaty, a Conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty".

Joint USSR/USA draft of 11 March 1968:

"2. Twenty-five years after the entry into force of the Treaty, a Conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty".

NPT (same as revised draft of 31 May 1968)

"2. Twenty-five years after the entry into force of the Treaty, a Conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty".